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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Huang et al.

Serial No.: 09/938,689

Group Art Unit: 1632

Filed: August 23, 2001

Examiner: To be assigned

For: TRANSGENIC MAMMAL CAPABLE OF FACILITATING PRODUCTION OF DONOR-SPECIFIC FUNCTIONAL IMMUNITY Attorney Docket No.: 9342-028

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents
Attention: Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, ("Notice"), which was mailed on October 10, 2001 (a copy of which is attached hereto), Attorneys for Applicants respectfully submit herewith an original Declaration executed by Manley Huang and Fiona A. Harding on January 7, 2002. Also submitted herewith is a Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71, executed by Margaret A. Horn, Vice President of Genencor International, Inc. An Assignment of the inventors' rights in the above-identified application to Genencor International, Inc. is being concurrently submitted under separate cover for recordation.

Applicants also submit herewith (a) a Petition for Extension of Time for one month, accompanied by the appropriate fee; (b) a Sequence Listing in paper and computer-readable forms; (c) a Transmittal of Sequence Listing; and (d) a Preliminary Amendment under 37 C.F.R. § 1.115.

It is requested that the Declaration and the Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71 be entered in the file of the above-identified application.

The fee required to be filed with the accompanying Declaration has been

estimated to be \$130.00. Please charge any required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: January 10, 2002

Thomas E. Friebe 29,258
Thomas E. Friebe (Reg. No.)

By: William Thomann 40,203
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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/938,689	08/23/2001	Manley Huang	9342-028

 20583
 PENNIE AND EDMONDS
 1155 AVENUE OF THE AMERICAS
 NEW YORK, NY 100362711

CONFIRMATION NO. 3530

FORMALITIES LETTER



OC000000006876260

Date Mailed: 10/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/22/2002 BABRAHA1 00000339 161150 09938689

FILED UNDER 37 CFR 1.53(b)

01 FC:105 130.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn S ftware, call (703) 306-2600
- For PatentIn S ftware Program Help, call (703) 306-4119 r e-mail at patin21help@uspto.gov or patin3help@uspt .gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE